



Department of Human Resources
COVID-19 Vaccine Mandate Procedure for Milwaukee County
Version 1.0 – April 1, 2022

The development and rollout of vaccines for COVID-19 has been a major success in the face of the worst pandemic in a century. With broad international cooperation between governments and private industry, several vaccines have been launched worldwide, with three receiving emergency use authorization in the United States and at least one receiving full approval from the U.S. Food and Drug Administration.

To date, nearly 525 million doses of COVID-19 vaccine have been administered in the U.S. according to the Centers for Disease Control (CDC), and the vaccines have been overwhelming safe and effective in reducing the incidence of serious illness and death from COVID-19. At the same time, recent data suggest that, like many vaccines, their effectiveness wanes over time. As a result, the CDC recommends that individuals receive booster vaccinations from two to five months after completing vaccination, depending on the earlier vaccine received.

Given the importance of keeping employees and those in our care as safe as possible, as of Tuesday, January 18, 2022, Milwaukee County is requiring that employees, contractors, and volunteers who work at Milwaukee County's high-risk facilities receive boosters. Workers who are eligible for boosters as of January 18, 2022, will have until February 4, 2022, to comply with this Order; workers who are not yet eligible for boosters will have 21 days from the day they become eligible to comply.

Consistent with federal and state law, Milwaukee County may grant reasonable accommodations for medical reasons or sincerely held religious beliefs, as also outlined in the Order. **Changes in Version 1.0 of this procedure are highlighted in red**, and the procedure:

- Explains key terms used in the procedure.
- Defines the requirements for vaccination for employees, contractors, volunteers, and those accepting employment with the County
- Describes the documentation process for vaccinated individuals.
- **Described the documentation process for required boosters.**
- Specifies the process for employees requesting an exemption and accommodation.
- Outlines rewards and incentives for vaccination, potential consequences for non-compliance, and additional risk mitigation measures for unvaccinated employees.

If you have questions about this, or any other COVID-19 procedure or policy, please email: [**COVID-19@milwaukeecountywi.gov**](mailto:COVID-19@milwaukeecountywi.gov)



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I. Definitions

- a. High-risk (Congregate Living) Facilities:** These facilities include the Milwaukee County Jail, the House of Correction (HOC), and within the Department of Health and Human Services (DHHS) the Children, Youth, and Family Services (CYFS) Detention Center and the hospital operated by the Behavioral Health Services (BHS).
- b. Eligible for Booster:** A individual who has received a second dose of either the Pfizer or Moderna vaccine at least 5 months ago or who has received one dose of the Johnson & Johnson vaccine at least 2 months ago. NOTE: If an individual has recovered from a confirmed case of COVID-19, the individual is Eligible when fully recovered and out of isolation OR has met the required time since receiving a second dose of Pfizer / Moderna or the single dose of J&J, whichever is LATER.
- c. Non-Compliant:** An individual who has neither met the requirement of this order for Completed Vaccination (or for Up to Date with Vaccination when required) nor has received an approved accommodation for medical or religious reasons.
- d. Up to Date with Vaccinations:** Individuals who have either:
 - i.** Had a booster shot (a third shot for individuals initially vaccinated with Pfizer or Moderna or a second shot for those initially vaccinated with Johnson & Johnson), OR
 - ii.** Been fully vaccinated and are not yet eligible for boosters, that is:
 - i.** Have received one dose of Johnson & Johnson vaccine within the past two months OR
 - ii.** Have received a second dose of the Pfizer or Moderna vaccine within the last five months.

II. Policies for Current Employees, New Employees, and County Contractors

This section outlines the COVID-19 vaccination policies for current employees, new employees, and contractors.

a. Vaccine Requirements for Current Employees

All employees are required to submit required documentation verifying their Completed Vaccination status or to submit a completed medical or religious exemption and accommodation request form by no later than **October 1, 2021**. Vaccinated, exempt, or non-compliant employees will be subject to the policies and associated timelines outlined in Section V. This vaccine requirement applies to all employees,¹ regardless of current or previous COVID-19 infection status.

Employees who get vaccinated or receive a booster as a result of this Order may use up to

¹ The terms and conditions of this procedure do not currently apply to employee-members of the Milwaukee County public safety unions.



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one (1) hour of their Expanded Paid Sick Leave (EPSL) time bank to cover time away from work for each vaccine dose they receive. Employees should use the **payroll code “EPSL Vaccine”**.

b. Booster Requirement for Employees at High-Risk Facilities

All employees working at High-Risk Facilities must be Up to Date with Vaccinations, that is, receive a booster, as soon as they become Eligible. Employees who are Eligible as of January 18, 2022, have until February 4, 2022, to comply with this Order. Employees who are not Eligible as of January 18, 2022, must comply within 21 days of becoming Eligible.

c. Vaccine Requirements for New Employees

Effective **October 1, 2021**, with the exception of new hires by the Milwaukee County Sheriff's Office (MCSO), only job candidates who have Completed Vaccination or who have received an approved medical or religious accommodation shall be hired by Milwaukee County. The Department of Human Resources (HR) should add vaccination status as a condition of employment for any current and future posted positions, excluding MCSO postings, as soon as is feasible. In offer letters to potential new employees after October 1, 2021, candidates will be asked to provide proof of vaccination status to HR using the verification requirements for employees in Section III. New employees hired before October 1, 2021, but after the effective date of this order, will be subject to the policies for current employees (see Section III). This vaccine requirement applies to all job candidates, regardless of current or previous COVID-19 infection status.

Effective **February 4, 2022**, only candidates for positions in High-Risk Facilities² who are Up to Date with Vaccinations or who have received an approved medical or religious accommodation shall be hired by Milwaukee County. The Department of Human Resources (HR) will add Up to Date Vaccination status (booster) as a condition of employment for any current and future posted positions in High-Risk Facilities as soon as is feasible. In offer letters to potential new employees after January 18, 2022, candidates will be asked to provide proof of Up-to-Date Vaccination status to HR using the verification requirements for employees in Section IV. New employees hired before February 4, 2022, but after the effective date of this order, will be subject to the policies for current employees (see Section IV). This vaccine requirement applies to all job candidates for positions in High-Risk Facilities, regardless of current or previous COVID-19 infection status.

² With the exception of new hires by the Milwaukee County Sheriff's Office (MCSO).



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d. Vaccine Requirements for County Contractors and Volunteers

All contractors and volunteers working in County High Risk Facilities must be Up to Date with Vaccinations.³ Those who are Eligible as of January 18, 2022, have until February 4, 2022, to comply. Those who are not Eligible as of January 18, 2022, must comply within 21 days of becoming Eligible. This vaccine requirement applies to all applicable contractors and volunteers, regardless of current or previous COVID-19 infection status.

Departments may require Completed Vaccination or Up to Date Vaccination status for their contractors and volunteers more broadly than just those working in County High Risk or Congregate Living Facilities. Departments are encouraged to consider the risk profile of service users,⁴ staffing levels, the necessity of the service being open for in-person use, and other operational needs when considering broader vaccine mandates for their contractors and volunteers.

III. Vaccination Verification Process

Employees who have Completed Vaccination, new hires, or employees seeking an accommodation are required to submit proof of their vaccination status (described below) or an exemption and accommodation request form (see Section IV) by **October 1, 2021**. Please note that proof of vaccination status submitted for the Vaccin8 program does **not** satisfy verification requirements for this policy.

- a. To verify Completed Vaccination status, employees must submit two (2) different forms of proof from the following five (5) options into Dayforce:
 1. A copy of the CDC vaccination card provided at the vaccine appointment.
 2. A copy/screenshot of the employee's COVID-19 vaccination status from the [Wisconsin Immunization Registry \(WIR\)](#).⁵
 - a. If you were vaccinated outside of Wisconsin, vaccination records can be accessed via each State's operational [immunization information system \(IIS\)](#).⁶ Employees may upload a copy/screenshot from the IIS for the state in which they were vaccinated.
 3. A copy/screenshot from the employee's healthcare system patient profile (for example, MyChart).
 4. A note from the employee's healthcare provider or Milwaukee County vaccinator verifying vaccination status.

³ If a department operating a High-Risk Facility determines a contractor will be out of compliance with this Order, the department head must contact the County Executive's Office to confirm planned remediation and risk mitigation measures.

⁴ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>

⁵ <https://www.dhfs.wisconsin.gov/pr/clientSearch.do?language=en>

⁶ <https://www.cdc.gov/vaccines/programs/iis/contacts-locate-records.html>



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5. A copy/screenshot of the employee's COVID-19 vaccination status from the federal [Vaccine Administration Management System \(VAMS\)](#).⁷ Please note that only people receiving vaccines from select providers will have a record in this federal system.
- Please contact COVID-19@milwaukeecountywi.gov if you have questions or need assistance submitting the proper documentation, and an HR representative will contact you.
- b. Employees who fail to meet the October 1 vaccine verification deadline should submit the required documentation as soon as possible. These employees will be subject to consequences (see Section V) until they have verified their vaccination status or received an approved accommodation.
- c. **NOTE:** If photographs or screenshots are submitted, the image must be legible and must contain the following information: the vaccine recipient's name and the date(s) when COVID-19 vaccine dose(s) were administered. When submitting information, employees should take care to avoid submitting other medical information. Employees submitting fraudulent documentation are subject to corrective action up to and including termination and could be subject to prosecution under federal law.
- e. HR will verify employees' proof of Completed Vaccination on a weekly basis. If there are issues with the submission, employees will be contacted by an HR representative to resolve the issue.
- f. Employees not submitting proof of their Completed Vaccination (or a request for accommodation described in Section IV) in a timely manner will be subject to policies for non-compliance (see Section V) until they have provided the appropriate documentation.

IV. Booster Verification Process

Employees at High-Risk Facilities are required to document their Up to Date Vaccination status by submitting proof of their COVID-19 booster vaccination using the online submission [form](#). Employees will be required to provide **one** form of proof of booster vaccination, which may be any form allowed in Section III a. (above). Human Resources staff are responsible for verifying booster vaccination submissions.

VI. Accommodation Process

Milwaukee County recognizes that employees may be unable to have Completed Vaccination status because of specific medical conditions or sincerely-held religious beliefs.

- a. Employees seeking an accommodation should request either a "Medical Exemption and Accommodation Request Form" or "Religion or Creed Exemption and Accommodation Request Form" from their HR Business Partner. Employees should return their completed

⁷ https://vams.cdc.gov/vaccineportal/s/login/?language=en_US&startURL=%2Fvaccineportal%2Fs%2F&ec=302



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exemption and accommodation request form to their HR Business Partner as soon as possible, but no later than October 1, 2021. Employees must also indicate their request for an exemption on the COVID-19 Vaccination Form in Dayforce.

- b. Consistent with federal and state law, HR will consider requests for accommodation on a case-by-case basis and may engage with the employee, with medical providers, and/or with faith community leaders as allowed by law in considering requests. HR staff will review requests for accommodation weekly and will contact employees as needed.
- c. Accommodations may be granted where they are required by law and do not create undue hardship on Milwaukee County or pose a direct threat to the health and safety of others, including those working for or served by Milwaukee County.
- d. Employees who claim a medical or religious exemption but fail to submit the documents necessary to act on the request, or who fail to engage in the interactive process to address accommodations, and who do not have a Completed Vaccination shall be denied an accommodation and shall be viewed as non-compliant and subject to the actions described in Section V.
- e. Employees receiving an exemption may or may not qualify for specific rewards or incentives, as described in Section V.
- f. **Employees at High-Risk Facilities who have received approved Accommodations for Vaccination do not have to apply again for Accommodations for Boosters. Earlier Accommodations will apply to the Booster mandate.**

V. Incentives, Consequences, and Additional Risk Mitigation Measures

With three (3) highly safe, highly effective vaccines available, County leaders recognize that the time has come to strengthen policies and expectations around vaccines for all current employees. This policy offers incentives and rewards to employees who get vaccinated and impose consequences on non-compliant employees.

a) Rewards and Incentives for Employees with Completed Vaccination

From time to time, Milwaukee County may offer incentives to employees to increase acceptance of these vital tools in keeping one another and those we serve safe. When available, these incentives, along with timelines and methods for applying, will be communicated to employees.

b) Consequences for Non-Compliance

Milwaukee County views non-compliance with this vaccine mandate, that is, employees who are not vaccinated, **or boosted when required**, and do not have an approved accommodation in place, as a decision inconsistent with our vision of becoming the healthiest county in Wisconsin and inconsistent with our responsibilities as public servants. As a result, the County will impose escalating consequences on employees who fail to comply with this vaccine mandate.



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Failure to comply with vaccination requirements outlined in this procedure may result in corrective action, up to and including termination.⁸

Employees who report Completed Vaccination status or who receive an approved accommodation before October 11, 2021, will not be subject to consequences for non-compliance with this Order. Employees who report Completed Vaccination or receive an approved accommodation on or after October 11, 2021, will be subject to consequences until such time as they Complete Vaccination or receive an approved accommodation. The consequences for non-compliant employees include:

1. Effective October 11, 2021

- i. Employees will not be eligible for voluntary overtime.
- ii. Employees will not be eligible for Risk Recognition Pay, when it is available.
- iii. **(OPTIONAL DEPARTMENT POLICY)** Employees failing to comply with the terms of this Order may be placed on unpaid suspension for up to 10 days.
 1. **Departments are encouraged to pursue unpaid suspensions for non-compliant employees as strictly as possible** without a) exceeding 10 days per employee, or b) impeding service delivery or operations, or c) triggering overtime.
 2. Unpaid suspensions may be scheduled at the discretion of the Department Head or designee(s), consistent with operational needs.
 3. Unpaid suspensions should occur between October 11 – December 31, 2021.
 4. A suspension policy should be evenly applied across non-compliant employees within the department or subunits, as determined by department heads.
- iv. **(OPTIONAL DEPARTMENT POLICY)** Department Heads or designee(s) may use an employee's compliance or non-compliance with this Order as a factor when making decisions about promotions, hiring current employees into new positions at the County, or giving a Temporary Assignment to a Higher Classification (TAHC).
- v. **(OPTIONAL DEPARTMENT POLICY)** Department Heads or designee(s) may use an employee's compliance or non-compliance with this order as a factor when making decisions about Departmental Other Salary Adjustment Allocation (DOSAA).

⁸ Employees who claim a medical or religious exemption, but who have failed to submit documentation in accordance with the established deadlines, and/or any additional requested support for their request, and who are not vaccinated, shall be denied an accommodation and shall be subject to the actions described in this order.



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2. Effective January 1, 2022

- i. Employees enrolled in Milwaukee County health insurance will incur a **\$20 per pay period surcharge**. If an employee opts to Complete Vaccination in 2022, the surcharge will be eliminated after they submit their documentation for the full vaccine series (see Section III), effective the following pay period.
- ii. Any employees working in Behavioral Health Services (BHS) who do not meet the Vaccination requirements of this policy by January 1, 2022, may be restricted from work until vaccination requirements are completed. Non-compliance may lead to separation.

3. Effective February 4, 2022

For employees at High-Risk Facilities who are Eligible for Boosters and who are NOT Up to Date with Vaccinations:

- i. Employees will not be eligible for premium pay differentials.
- ii. Employees will not be eligible for voluntary overtime.
- iii. Employees will not be eligible for Risk Recognition Pay when it is available.

c) Additional Risk Mitigation Measures for Unvaccinated Employees

In order to mitigate the risk of spread of COVID-19, all unvaccinated employees, or those employees at High-Risk Facilities who are Eligible but NOT Up to Date with Vaccinations, including those with an approved accommodation, will be subject to the following additional risk mitigation measures:

1. Effective October 11, 2021

- i. Employees working in any County healthcare setting will be required to wear a fitted N95 mask whenever a face mask is required per the current version of the Universal Face Mask Policies and Procedures Administrative Order (20-14).
- ii. All employees working in person in a non-healthcare setting will be required to wear a KN95 mask whenever a face mask is required per the current version of the Universal Face Mask Policies and Procedures Administrative Order (20-14).
- iii. Employees working in-person full- or part-time at the HOC, the County Jail, or the CYFS Detention Center will be subject to COVID-19 testing on a bi-weekly basis, that is, every other week, consistent with current policy.